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Supreme Court, U.S.
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No. 113

In the

Supreme Court of the United States

OCTOBER TERM, 1970

HONORABLE BERNARD M. DECKER,
UNITED STATES DISTRICT JUDGE, et al.,
Petitioners,

vs.

HARPER & ROW PUBLISHERS, INC., et al.,
Respondents.

On Writ of Certiorari to the United States Court of Appeals for the Seventh Circuit.

OBJECTION TO MOTIONS FOR LEAVE TO FILE BRIEFS AS AMICI CURIAE IN SUPPORT OF RESPONDENTS

LEE A. FREEMAN, JR.
On behalf of Petitioners

One North LaSalle Street
Chicago, Illinois 60602

The Scheffer Press, Inc.—ANdover 3-6850

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The petitioners respectfully object to the motions for leave to file briefs as *amici curiae* which have been submitted by the American Bar Association, the Association of the Bar of the City of New York, and the New York County Lawyers' Association, and the motions of the Ohio State Bar Association and the Minnesota State Bar As-

sociation to join in the brief of the American Bar Association.

The petitioners have refused to consent to the filing of these *amici* briefs, and, pursuant to Supreme Court Rule 42(3), state the following reasons for withholding such consent.

1. The two *amici* briefs raise no issues which are not adequately and thoroughly discussed in the brief of respondents. The respondents are represented by sixteen well-known corporate law firms, located in Chicago, New York and Boston. These defense counsel have exhaustively presented the broad hypothetical policy arguments in support of the alleged attorney-corporate client privilege. The *amici* briefs reiterate and belabor issues which have been vigorously contested in the lower courts and fully briefed by the parties to this action.

2. The respective bar associations have no interests which differ from the interests already advanced by respondents on behalf of corporations and the corporate defense bar. In their motions for leave to file briefs and their *amici* briefs, the bar associations merely subscribe to the argument that the coverage of the attorney-corporate client privilege should be extended for the same reasons expressed in the brief of respondents.

The privilege to file an *amicus curiae* brief should not be granted in these circumstances.

Wherefore, petitioners request that this Court den the motions for leave to file *amici curiae* briefs.

Respectfully submitted,

LEE A. FREEMAN, JR.
On behalf of Petitioners

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August 1970.